

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

CONTINENTAL CASUALTY COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO.: 2:07cv221-WHA
)	
ALABAMA EMERGENCY ROOM ADMINISTRATIVE SERVICES, P.C.)	
)	
Defendant.)	

AMENDED ANSWER

COMES NOW the Defendant, Alabama Emergency Room Administrative Services, P.C., and files this Amended Answer pursuant to this Court's Order of April 20, 2007 (Doc. 10):

1. The defendant, Alabama Emergency Room Administrative Services, P.C., adopts and incorporates that set forth in its Answer (Doc. 7), with the exception of that specifically set forth herein.

2. Defendant amends its previously filed Answer so as to withdraw its challenges to jurisdiction and venue. (Doc. 7, paragraph 2; affirmative defenses 25, 26 and 27).

3. While the Complaint makes no specific claim of monetary damages, paragraph e. states "That if Continental Casualty is mistaken in any special relief herein prayed for, then it prays for such other, further, or more general relief to which it may be entitled in the premises." (Doc. 1). While Defendant asserts that Plaintiff is not entitled to mental anguish, punitive or other damages, whether claimed specifically or generally in the Complaint, the fact that Plaintiff has made a general assertion in its Complaint "for more general relief to which it may be entitled", Defendant must assert defenses to all conceivable damage claims at this point. If Plaintiff does not claim mental

anguish and/or punitive damages, Defendant withdraws those affirmative defenses that address such (Doc. 7, affirmative defenses 3-20).

Respectfully submitted this the 26th day of April, 2007.

/s/ Michael J. Cohan
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above and foregoing upon all parties by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the following via: email this the 26th day of April, 2007.

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/s/ Michael J. Cohan
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